

STATE OF KANSAS



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GOVERNOR LAURA KELLY

MESSAGE FROM THE GOVERNOR

REGARDING VETO OF HOUSE BILL 2350

House Bill 2350 is the product of a rushed process. I agree immigration issues need to be addressed, but this bill will have unintended consequences, from decimating our agriculture workforce to allowing the state to encroach into Kansans' personal lives.

You just have to look at basic examples: If a good Samaritan gives his or her fellow Kansan a ride to work and receives gas money in exchange – or if a paramedic, while on duty, transports someone to the emergency room – they could be subject to level-five felonies. That overcriminalization is unnecessary and shows that lawmakers haven't considered the full impact of this bill.

Kansans deserve considered, comprehensive legislation when it comes to immigration – not bills with sweeping language that would hurt law-abiding Kansas citizens and open the state up to expensive lawsuits.

Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto House Bill 2350.

THE GOVERNOR'S OFFICE

BY THE GOVERNOR

A handwritten signature in blue ink, appearing to read "Laura Kelly", written over a horizontal line.

DATED

A handwritten date in blue ink, "April 24, 2023", written over a horizontal line.

HOUSE BILL No. 2350

AN ACT concerning crimes, punishment and criminal procedure; relating to crimes against persons; creating the crimes of human smuggling and aggravated human smuggling; providing criminal penalties therefor.

Be it enacted by the Legislature of the State of Kansas:

Section 1. (a) (1) Human smuggling is intentionally transporting, harboring or concealing an individual into or within Kansas when the person:

(A) Knows, or should have known, that the individual is entering into or remaining in the United States illegally;

(B) benefits financially or receives anything of value; and

(C) knows, or should have known, that the individual being smuggled is likely to be exploited for the financial gain of another.

(2) Aggravated human smuggling is human smuggling that:

(A) Is committed using a deadly weapon or by threat of use of a deadly weapon;

(B) causes bodily harm, great bodily harm or disfigurement to the individual being smuggled; or

(C) causes the individual being smuggled to become a victim of a sex offense described in article 55 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto, or human trafficking as defined in K.S.A. 2022 Supp. 21-5426, and amendments thereto, or causes the person to commit selling sexual relations as defined in K.S.A. 2022 Supp. 21-6419, and amendments thereto.

(b) (1) Human smuggling is a severity level 5, person felony; and

(2) aggravated human smuggling is a severity level 3, person felony.

(c) This section shall be a part of and supplemental to the Kansas criminal code.

Sec. 2. This act shall take effect and be in force from and after its publication in the statute book.

I hereby certify that the above BILL originated in the HOUSE, and was adopted by that body

HOUSE adopted
Conference Committee Report _____

Speaker of the House.

Chief Clerk of the House.

Passed the SENATE
as amended _____
SENATE adopted
Conference Committee Report _____

President of the Senate.

Secretary of the Senate.

APPROVED _____

Governor.